



Docket No.: 251577US2RD



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/821,961
Applicants: Mieko MATSUDA, et al.
Filing Date: April 12, 2004
For: DISTANCE DETECTING APPARATUS, AIR BAG
SYSTEM CONTROLLING APPARATUS, AND
METHOD OF DETECTING DISTANCE
Group Art Unit: 3616
Examiner: GOODEN JR, BARRY

SIR:

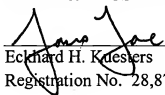
Attached hereto for filing are the following papers:

**Petition Under 37 C.F.R. §1.181; Copy of IDS, PTO Form-1449 and Date-Stamped Filing Receipt
(all previously filed October 30, 2007)**

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Eckhard H. Kueslers
Registration No. 28,870

Customer Number

22850

(703) 413-3000 (phone)
(703) 413-2220 (fax)

James Love
Registration No. 58,421

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DOCKET NO: 251577US2RD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
MIEKO MATSUDA : EXAMINER: GOODEN JR, BARRY
SERIAL NO: 10/821,961 :
FILED: APRIL 12, 2004 : GROUP ART UNIT: 3616
FOR: DISTANCE DETECTING :
APPARATUS, AIR BAG SYSTEM
CONTROLLING APPARATUS, AND
METHOD OF DETECTING DISTANCE

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant respectfully petition in accordance with 37 C.F.R. §1.181(a)(3) for consideration by the Examiner of the Information Disclosure Statement filed October 30, 2007.

On page 2, of the PTO Office Communication of November 19, 2007, it states that the Information Disclosure Statement filed October 30, 2007 would not be considered as the reference was not in English and no statement of relevance was included. However, MPEP §609.04(a)(III) states "[w]here the information listed is not in the English language, but was cited in a search report or other action by a foreign patent office in a counterpart foreign application, the requirement for a concise explanation of relevance can be satisfied by submitting an English-language version of the search report or action which indicates the

Application No. 10/821,961
Petition Under 37 C.F.R. §1.181
Date Allowed: September 28, 2007

degree of relevance found by the foreign office. This may be an explanation of which portion of the reference is particularly relevant, to which claims it applies, or merely an "X", "Y", or "A" indication on a search report."

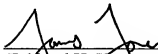
In the present case, in the IDS filed October 30, 2007 Applicants included an English language translation of the Japanese Office Action of which indicates the degree of relevance found by the foreign office for the references. Therefore, Applicants respectfully request that the IDS of October 30, 2007 be considered.

Accordingly, attached is a copy of the IDS, a copy of the PTO-1449 form filed with the IDS, as well as a copy of a date-stamped filing receipt evidencing the filing on October 30, 2007.

37 C.F.R. §1.181(a)(3) allows petition to invoke the supervisory authority of the Commissioner in appropriate circumstance. Accordingly, it is respectfully submitted that this Petition under 37 C.F.R. §1.181 be granted and that the Examiner consider the Information Disclosure Statement filed October 30, 2007.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

James Love
Registration No. 58,421



Dept.: E/M

By: EHK/JL/kcl

OSMM&N File No. 251577US2RD

Serial No. 10/821,961

In the matter of the Application of: Mieko MATSUDA, et al.

For: DISTANCE DETECTING APPARATUS, AIR BAG SYSTEM
CONTROLLING APPARATUS, AND METHOD OF DETECTING
DISTANCE

Due Date: 11/07/07

The following has been received in the U.S. Patent Office on the date stamped hereon:

- Credit Card Form for \$180.00
- Dep. Acct. Order Form
- Information Disclosure Statement
- PTO-1449
- Cited References 4
- Japanese Office Action w/Partial English Translation



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Miekio MATSUDA, et al.

DATE ALLOWED: September 28, 2007

SERIAL NO: 10/821,961

GAU: 3616

FILED: April 12, 2004

EXAMINER: GOODEN JR, BARRY

FOR: DISTANCE DETECTING APPARATUS, AIR BAG SYSTEM CONTROLLING APPARATUS, AND METHOD OF DETECTING DISTANCE

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☒ The applicant(s) wish to make of record the reference(s) listed on the attached Japanese Office Action w/Partial English Translation and form PTO-1449. Copies of the listed reference(s) are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language reference(s).
- ☒ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s), published application(s) or issued patent(s) which may be related to the present application. In accordance with the waiver of 37 CFR 1.98 dated September 21, 2004, copies of the cited pending applications are not provided. Cited published and/or issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☐ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/03)

Eckhard H. Kuesters

Registration No. 28,870

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251577US2RD

SERIAL NO.

10/821,961

LIST OF REFERENCES CITED BY APPLICANT

APPLICANT

Mieko MATSUDA, et al.

DATE ALLOWED: September 28, 2007

FILING DATE

April 12, 2004

GROUP

3616

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION	
					YES	NO
	AO	2002-357408	12/13/02	JAPAN		X
	AP	2002-144278	05/21/02	JAPAN		X
	AQ	5-322539	12/07/93	JAPAN		X
	AR	59-138916	08/09/84	JAPAN		X
	AS					
	AT					
	AU					
	AV					

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)

	AW	
	AX	
	AY	
	AZ	

☐ Additional References sheet(s) attached

Examiner

Date Considered

*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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